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Attorneys for Lead Plaintiffs Robert Wolfson and Frank Pino and Co-Lead Counsel for the Class

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

ROBERT CRAGO, Individually And On Behalf
Of All Others Similarly Situated,

Case No. 3:16-cv-3938-RS

CLASS ACTION

**JOINT STIPULATION AND [PROPOSED]
ORDER FOR EXTENSION OF CLASS
CERTIFICATION SCHEDULE**

**CHARLES SCHWAB & CO., INC., and THE
CHARLES SCHWAB CORPORATION,**

Defendants.

V.

**CHARLES SCHWAB & CO., INC., and THE
CHARLES SCHWAB CORPORATION**

Defendants

1 Pursuant to Local Rule 6-2, Lead Plaintiffs Robert Wolfson and Frank Pino and named
2 plaintiff Scott Posson (“Plaintiffs”), and Defendants Charles Schwab & Co., Inc. and The Charles
3 Schwab Corporation (“Defendants” or “Schwab” and, together with Plaintiffs, the “Parties”), by and
4 through their respective counsel, for good cause, hereby stipulate as follows:

5 WHEREAS, on June 21, 2018, the Court entered a Case Management Scheduling Order
6 setting the case schedule through the class certification hearing (ECF No. 136);

7 WHEREAS, the Parties have engaged in class certification and merits discovery and are
8 continuing to meet and confer in good faith regarding outstanding issues;

9 WHEREAS, in connection with class certification discovery, Plaintiffs seek from third-party
10 UBS Securities, LLC (“UBS”) the production of additional data regarding trade orders that Schwab
11 routed to UBS during the Class Period;

12 WHEREAS, Plaintiffs have met and conferred with UBS on multiple occasions regarding
13 the scope of the order data production, a negotiation that Plaintiffs believe has presented several
14 complex and novel issues;

15 WHEREAS, Plaintiffs are hopeful that they will be able to reach an agreement with UBS,
16 but need an extension of the current class certification deadlines to allow them to obtain the trade
17 order data;

18 WHEREAS, at Plaintiffs’ request, Defendants have agreed, with the Court’s approval, to
19 modify the Case Management Scheduling Order to extend the deadlines through the class
20 certification hearing;

21 WHEREAS, this is the Parties first request for an extension of the deadlines in the Case
22 Management Scheduling Order;

23 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, SUBJECT TO
24 APPROVAL BY THIS COURT, as follows:

25 The deadlines through the class certification hearing shall be as follows:
26
27
28

| Event | Deadline |
|---|--|
| Pre-class certification fact depositions | March 29, 2019 |
| Plaintiffs' expert disclosures and report(s) concerning class certification (including any backup materials) | April 15, 2019 |
| Defendants' expert disclosures and report(s) concerning class certification (including any backup materials) | July 1, 2019 |
| Plaintiffs' rebuttal report(s) concerning class certification (including any backup materials) | August 16, 2019 |
| Expert depositions concerning class certification | September 3 - 13, 2019 |
| Plaintiffs' class certification motion and <i>Daubert</i> challenges | October 4, 2019 |
| Defendants' class certification opposition, <i>Daubert</i> challenges, and <i>Daubert</i> opposition | December 4, 2019 |
| Plaintiffs' reply brief, opposition to <i>Daubert</i> challenges, and reply to <i>Daubert</i> challenges of Defendants' expert(s) | December 20, 2019 |
| Defendants' reply to <i>Daubert</i> challenges of Plaintiffs' experts | January 13, 2020 |
| Class Certification Hearing | TBD (as soon as practicable on a date convenient to the Court) January 30, 2020 at 1:30 pm. |

IT IS SO STIPULATED.

Dated: December 12, 2018

GLANCY PRONGAY & MURRAY LLP

By: /s/ Joshua L. Crowell

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1 Dated: December 12, 2018

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ATTESTATION

I, Joshua L. Crowell, am the ECF User whose identification and password are being used to file this Joint Stipulation and [Proposed] Order for Extension of Class Certification Schedule. In compliance with Local Rule 5-1(i)(3), I hereby attest that Counsel for Defendants concur in this filing.

DATED: December 12, 2018

Joshua L. Crowell

Joshua L. Crowell

1 **[PROPOSED] ORDER**

2 Based on the Parties' stipulation and the good cause described therein, the Court GRANTS
3 this stipulation. The following schedule shall apply:

| Event | Deadline |
|---|--|
| Pre-class certification fact depositions | March 29, 2019 |
| Plaintiffs' expert disclosures and report(s) concerning class certification (including any backup materials) | April 15, 2019 |
| Defendants' expert disclosures and report(s) concerning class certification (including any backup materials) | July 1, 2019 |
| Plaintiffs' rebuttal report(s) concerning class certification (including any backup materials) | August 16, 2019 |
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| Defendants' reply to <i>Daubert</i> challenges of Plaintiffs' experts | January 13, 2020 |
| Class Certification Hearing | TBD (as soon as practicable on a date convenient to the Court) January 30, 2020 at 1:30 pm |

20 IT IS SO ORDERED.

21 DATED: 12/13/18



Hon. Richard Seeborg
U.S. District Court Judge